

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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OLADELE AJAYI,

Plaintiff,

-against-

08 Civ. 3649 (LAK)

CAROL DAVID, et al.,

Defendants.
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ORDER

LEWIS A. KAPLAN, *District Judge*.


On September 3, 2009, judgment was entered dismissing the complaint on an order, dated July 23, 2009, which granted defendants' motion for summary judgment. On September 16, 2009, plaintiff filed both a motion for reconsideration and a notice of appeal.

It appears to me that the motion for reconsideration – to whatever extent it is directed at the summary judgment ruling – is untimely, as it was filed far later than 10 days after the July 23, 2009 order. But I need not tarry on such nice questions as the timeliness of the motion, the effect on this Court's jurisdiction of the pendency of a notice of appeal, and the like.

Plaintiff's motion for reconsideration states no basis for granting relief either from the grant of summary judgment against him or the entry of the final judgment based on that decision. The motion for reconsideration is denied.

SO ORDERED.

Dated: September 22, 2009



Lewis A. Kaplan
United States District Judge